

Patent

Attorney's Docket No. 009683-373

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR FILING CONTINUATION/DIVISIONAL
APPLICATION UNDER 37 C.F.R. § 1.53(b)JC903 U.S. PTO
10/075230
02/15/02Box PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 C.F.R. § 1.53(b) of pending Application No. 09/387,498 filed on September 1, 1999, for MEASURING SYSTEM WITH IMPROVED METHOD OF READING IMAGE DATA OF AN OBJECT, by the following named inventor(s):

- (a) Full Name Eiro FUJII
- (b) Full Name Shigeaki IMAI
- (c) Full Name Toshio NORITA

- ☐ Applicant(s) hereby requests that the above-captioned application **NOT BE PUBLISHED** under 35 U.S.C. § 122(b) and 37 C.F.R. § 1.211. The undersigned hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.
- ☐ The entire disclosure of the prior application from which a copy of the oath or declaration is supplied herewith is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☐ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.63(d)(2), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application.
- (a) Full Name _____
- (b) Full Name _____
- (c) Full Name _____
- ☐ This application is being filed by more than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.63(d)(5), a new oath or declaration is enclosed, and the Commissioner is requested to add the name(s) of the following person or persons who are inventors of the invention being claimed in this application.
- (a) Full Name _____
- (b) Full Name _____
- (c) Full Name _____

- ☐ Applicant(s) suggests Figure for inclusion on the front page of the patent application publication and/or patent.

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1. ☐ Enclosed is a copy of the prior Application No. as originally filed on , including copies of the specification, claims, drawings and the executed oath or declaration as filed.
2. ☒ Enclosed is a revised prior application and a newly executed oath or declaration. No new matter has been added to the revised application.
3. ☐ Small entity status is hereby claimed.
4. ☒ The filing fee is calculated below ☒ and in accordance with the enclosed preliminary amendment:

| CLAIMS | | | | | |
|---|------------------|------------|-----------------|-------------------|-------------------|
| | NO. OF CLAIMS | | EXTRA CLAIMS | RATE | FEE |
| Basic Application Fee | | | | | \$740.00 (101) |
| Total Claims | 27 | MINUS 20 = | 7 | × \$18.00 (103) = | \$ 126.00 |
| Independent Claims | 9 | MINUS 3 = | 6 | × \$84.00 (102) = | \$ 504.00 |
| If multiple dependent claims are presented, add \$280.00 (104) | | | | | -0- |
| Total Application Fee | | | | | \$1,370.00 |
| If small entity status is claimed, subtract 50% of Total Application Fee | | | | | -0- |
| Add Assignment Recording Fee of \$ <u> </u> if Assignment document is enclosed | | | | | \$ 40.00 |
| TOTAL APPLICATION FEE DUE | | | | | \$1,410.00 |

5. ☐ Charge \$ to Deposit Account No. 02-4800 for the fee due.
6. ☒ A check in the amount of \$ 1410.00 is enclosed for the fee due.
7. ☒ The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.
8. ☐ Cancel in this application original claims of the prior application before calculating the filing fee.
9. ☒ New drawings are enclosed.
10. ☒ Priority of Application No. 5-320245, 5-320246, and 5-320247 filed on December 20, 1993 in Japan (country) and Application No. 6-132998 filed on June 15, 1994 in Japan (country) is claimed under 35 U.S.C. § 119.

☒ The certified copy of the priority application

☐ is enclosed.

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[X] was filed on March 6, 1995 in prior Application No. 08/358,306, filed on December 19, 1994, and acknowledged by the Examiner on November 15, 1999 in Paper No. 4 of Application No. 09/387,498.

[] has not yet been filed.

11. [X] Please amend the specification by inserting before the first line the sentence:

[X] --This application is a [X] continuation [] divisional of Application No. 09/387,498, filed on September 1, 1999, which is a divisional of Application No. 08/841,560, filed on April 30, 1997, now U.S. Patent No. 6,243,165, which is a divisional of Application No. 08/358,306, filed on Dec. 19, 1994, now U.S. Patent No. 5,668,631.--.

[] --This application is a [] continuation [] divisional of U.S. Application No. __, filed on __, which was a national stage filing under 35 U.S.C. § 371 of International Application No. __ filed on __, which International Application [] was [] was not published by the International Bureau in English on __.--.

[] --This application is a [] continuation [] divisional of U.S. Application No. __, filed on __, which was a continuation of International Application No. __, filed on __, which International Application [] was [] was not published by the International Bureau in English on __.--.

12. [X] A preliminary amendment is enclosed.

13. [X] An Information Disclosure Statement is enclosed.

14. [X] A General Authorization for Payment of Fees and Petitions for Extensions of Time is enclosed.

15. [X] Also enclosed an Assignment document in a separate document.

16. [X] The power of attorney in the prior application is to Platon N. Mandros, Reg. No. 22, 124 and Burns, Doane, Swecker & Mathis, L.L.P..

- a. [X] The power appears in the original papers in the prior application.
- b. [] Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. [] Recognize as Associate Attorney __.

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- d. ☒ Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

Platon N. Mandros, Esq.
BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, Virginia 22313-1404

Date: February 15, 2002

By:

Douglas H. Pearson

for

Platon N. Mandros
Registration No. 22,124

R.N. 47,851

ADDRESS OF SIGNATOR:

BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

- ☐ inventor(s)
☐ assignee of complete interest
☒ attorney or agent of record
☒ filed under 37 C.F.R. § 1.34(a)